



Minutes of the
City Commission for the City of Traverse City
Regular Meeting
September 8, 2015

A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were present, constituting a quorum: Mayor Michael Estes, Mayor Pro Tem Barbara D. Budros, James Carruthers, Jeanine Easterday, Ross Richardson, Tim Werner.

The following Commissioner was absent: Gary Howe.

The Pledge of Allegiance was recited.

Mayor Estes presided at the meeting.

As requested by City Manager Marty Colburn, Mayor Estes removed Agenda Item 4(a) from the Agenda.

As requested by Commissioner Tim Werner, the following items were removed from the Consent Calendar for individual consideration by the City Commission: 2(h), 2(m), 2(n), 2(o), and 2(p).

2. Consent Calendar

Moved by Carruthers, seconded by Richardson, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. the minutes of the August 17, 2015, Regular Meeting, the August 24, 2015, Study Session, the August 24, 2015 Joint Special Meeting, and the August 31, 2015 Study Session, be approved.

- b. the City Manager be authorized to issue a confirming purchase order in the amount of \$1,7227.16 to Brenner Oil Co. for 9994 gallons of unleaded gasoline priced at \$1.72375 per gallon with funds available in the Garage Fund.
- c. the competitive bidding process be waived; and that the City Manager be authorized to issue a purchase order in the amount of \$19,530 to Continental Carbon Group, for the purchase of replacement carbon canisters for the Phoenix Odor Control System at the Wastewater Treatment Plant, with funds available in the Sewer Fund.
- d. the City Manager be authorized to issue a purchase order in the amount not-to-exceed \$16,600.00 for the purchase of four (4) Dell Latitude 14 Rugged Laptops and the associated materials for use by the Fire Department, with funds available in the Fire Department Budget.
- e. the City Manager be authorized to issue a purchase order in the amount not-to-exceed \$13,750.00 to Tele-Rad Inc., for the provision of Fire Department uniforms, with funds available in the Fire Department Budget.
- f. that Kristine Bosley, be appointed Employer Officer Delegate and that David Mac Arthur and Michael Trombley, be appointed Employee Officer Delegate and Alternate Delegate respectively, and, for the 2015 annual meeting of the Municipal Employees' Retirement System; and that the City Manager be authorized to execute the certification of delegates.
- g. the Local Governing Body Resolution for Charitable Gaming Licenses (issued by the Michigan Lottery), to recognize the Northern Michigan Association of Western Horse Clubs as a local non-profit organization, be adopted.
- h. Removed from the Consent Calendar.
- i. the amendments to the Traverse City Code of Ordinances, Section 1320.07, Definitions and Section 1354.01, Uses Allowed, which would allow for crematories and funeral homes in the Industrial District, as recommended by the Planning Commission, which was introduced on August 17,2015, be enacted with an effective date of September 18, 2015.

- j. an amendment to the Traverse City Code of Ordinances, Section 865.07, Investigation by the Chief of Police, which would shift the responsibility of the residential area applicant investigation to the City Clerk, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.
- k. an amendment to the Traverse City Code of Ordinances, Section 862.07, Investigation of Residential Area Solicitor and Section 862.10, Permit Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.
- l. an amendment to the Traverse City Code of Ordinances, Section 863.03, License Required; Exceptions, Section 863.09, Investigation of Residential Area Transient Merchant; Waiting Period and Section 863.11, License Issuance or Denial, which would shift the responsibility of the residential area applicant investigation to the City Clerk and clarify reasons for possible permit denial, which was introduced on August 17, 2015, be enacted with an effective date of September 18, 2015.
- m. Removed from the Consent Calendar.
- n. Removed from the Consent Calendar.
- o. Removed from the Consent Calendar.
- p. Removed from the Consent Calendar.
- q. that the Mayor and City Clerk execute a unit prices contract in the amount of \$66,913, more or less, with Elmer's Crane and Dozer, Inc., for the 2015 Gillis Street Sanitary Sewer Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the various funds of the Capital Projects Fund.

CARRIED unanimously. (Howe absent)

Items removed from the Consent Calendar

a.

Consideration of adopting to make permanent a traffic control order which provides for a two-hour parking meter zone on Lake Avenue from East Eighth Street to South Cass Street.

The following addressed the Commission:

Marty Colburn, City Manager

Tim Lodge, City Engineer

Moved by Richardson, seconded by Werner, that Traffic Control Order 583, which requires adding a Parking Meter Zone on Lake Avenue from East Eighth Street to South Cass Street, be adopted to be made permanent.

CARRIED unanimously. (Howe absent)

b.

Consideration of authorizing an agreement to allow an encroachment of the public right of way in conjunction with the Hotel Indigo project at 263 West Grandview Parkway.

The following addressed the Commission:

Timothy Lodge, City Engineer

Moved by Richardson, seconded by Budros, that the Mayor and City Clerk execute a Permission of Encroachment Agreement, with Grand Traverse Hotel Properties, LLC, the owner of 263 West Grandview Parkway, for an encroachment into the City right-of-way on Hall Street and City property known as 225 West Grandview Parkway as described in the memo from the City Engineer dated August 31, 2015, subject to approval as to substance by the City Manager and as to form by the City Attorney, and further contingent upon the City's receipt of new

legal descriptions of the actual encroachments including a survey drawing prepared by a professional surveyor, and a copy of the required insurance policy.

CARRIED unanimously. (Howe absent)

c.

Consideration of authorizing a contract and service order for the 2015 Sidewalk Replacement and Gap Infill Project.

The following addressed the Commission:

Timothy Lodge, City Engineer

Moved by Richardson, seconded by Easterday, that the Mayor and City Clerk execute a unit prices contract in the amount of \$419,584.65, more or less, with Hallmark Construction for the 2015 Sidewalk Replacement and Gap Infill Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Capital Projects Fund; and further that the City Manager be authorized to issue a service order to Grand Traverse Surveying and Mapping in the amount of \$9,450 for professional land surveying to ensure proper location placement of sidewalks, with funds also available in the Capital Projects Fund.

CARRIED unanimously. (Howe absent)

d.

Consideration of authorizing a contract for the 2015 Pavement Preservation Project.

The following addressed the Commission:

Timothy Lodge, City Engineer
Marty Colburn, City Manager

Moved by Budros, seconded by Richardson, that the Mayor and City Clerk

execute a unit prices contract with Elmer's Crane and Dozer, Inc., in the amount of \$1,057,468.32, more or less for the 2015 Pavement Preservation Project, at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Capital Projects Fund and Parking System Fund, and with a portion of the funds to be reimbursed by the Michigan Department of Transportation and Traverse City Light and Power.

CARRIED unanimously. (Howe absent)

d.

Consideration of authorizing a contract for the Phase 1 Paving and Resurfacing Project.

The following addressed the Commission:

Timothy Lodge, City Engineer

Moved by Easterday seconded by Budros, that the Mayor and City Clerk execute a unit prices contract in the amount of \$867,403.80, more or less, with Elmer's Crane and Dozer, Inc., for the 2015 Phase One Paving and Resurfacing Project at the unit prices indicated in its bid, such contract subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the various funds of the Capital Projects Fund.

Roll Call:

Yes - Carruthers, Easterday, Richardson, Budors, Estes.

No - Werner.

CARRIED. (Howe absent)

3. Old Business

3(a).

Consideration of declaring two snow groomers surplus and authorizing a purchase order for two snow groomers for use at Hickory Hills and approving an agreement for storage of such groomers.

The following addressed the Commission:

Marty Colburn, City Manager
Dave Green, Director of Public Services

Moved by Richardson, seconded by Carruthers, that two snow groomers be declared surplus and the City Manager be authorized to issue a purchase order to Kassbohrer All-Terrain Vehicles, Inc. in the total amount of \$481,006 for one 2015 Kassbohrer Pisten Bully 100 and one 2015 Kassbohrer Pisten Bully 400 (snow groomers) for use at Hickory Hills, with funds available in the Garage Fund, and further that the Mayor and City Clerk execute a storage agreement with Kassbohrer All-Terrain Vehicles, Inc. for maintenance and storage of the new snow groomers until the fall of 2016 in a not-to-exceed amount of \$10,000, subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds available in the Garage Fund.

The following addressed the Commission:

Rick Buckhalter, 932 Kelly Street – expressed support

Roll Call:

Yes - Carruthers, Easterday, Richardson, Werner.

No - Budros, Estes.

FAILED. (5 votes required) (Howe absent)

4. New Business

4(a).

Removed from the Agenda.

4(b).

Consideration of a request from Brown Bridge Advisory Committee for a \$300,000 allocation from the Brown Bridge Trust Parks Improvement Fund over a five-year period, for improvements at the Brown Bridge Quiet Area.

The following addressed the Commission:

Marty Colburn, City Manager

Lauren Tribble-Laucht, City Attorney

Steve Largent, Grand Traverse Conservation District

Moved by Carruthers, seconded by Easterday, that the Capital Improvement Plan include \$300,000 from the Brown Bridge Trust Parks Improvement Fund for the Brown Bridge Advisory Committee to complete improvement to the Brown Bridge Quiet Area, over a period of five years and; further, that the City Commission pledge up to \$300,000 from the Brown Bridge Trust Parks Improvement Fund for improvements at the Brown Bridge Quiet Area consistent with the Brown Bridge Quiet Area Park Improvement Fund, such funds to be spent only when full match has been raised from non-City sources within a period of five years.

Rick Buckhalter, 932 Kelley Street – expressed opposition

Roll Call:

Yes - Carruthers, Easterday, Estes, Richardson, Werner.

No - Budros.

CARRIED. (Howe absent)

5. Appointments**5(a).**

Consideration of approving the Mayor's appointments to the Downtown Development Authority Board of Directors.

Moved by Richardson, seconded by Werner, that the Mayor's reappointment of Bill Golden (seat previously held by Bill Golden) to one four-year term expiring September 15, 2019, and the Mayor's appointment of Allison Beers and Gabe Schneider (seats previously held by Jan Chapman and Ross Biederman respectively) each to one four-year term expiring September 15, 2019, effective September 15, 2015, on the Downtown Development Authority Board of Directors, be approved.

CARRIED unanimously. (Howe absent)

6. Reports and Communications

The following were received and filed:

Reports, announcements and correspondence from the City Manager.

- b. **Announcements from the City Clerk.**
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 - 1. Reports from members of the Commission serving on boards.
 - 2. **Minutes of the ACT 345 Retirement System meeting of June 24, 2015.**
 - 3. **Minutes of the Planning Commission meeting of July 7, 2015.**
- e. Reports and correspondence from non-City officials.

None.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Chris Maxbauer, 503 West Eighth Street, Grand Traverse County
Commissioner

Grant Parsons, 6936 Mission Ridge, Peninsula Township, City
business owner

Rick Buckhalter, 932 Kelley Street

Deni Scrudato, 422 East State Street

Steve Largent, Grand Traverse Conservation District

3. Mayor and City Commissioners.

Commissioner Jim Carruthers

Commissioner Ross Richardson

Marty Colburn, City Manager

There being no objection, Mayor Michael Estes declared the meeting
adjourned at 8:24 p.m.

Benjamin C. Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)